REMARKS

Claims 2, 3, 6-18, 20-35, 37, 41, 45, 46, 48, 50 and 52-64 stand rejected. Claims 53, 60, 63 and 64 have been amended herein. Therefore, claims 2, 3, 6-18, 20-35, 37, 41, 45, 46, 48, 50 and 52-64 are pending and at issue. Applicants respectfully request reconsideration of the rejections of the claims and allowance of the case.

Claims 2, 3, 6-18, 20-33, 34, 35, 37, 41, 45, 46, 48, 50 and 52-62 stand rejected under 35 U.S.C. § 112, second paragraph as allegedly being indefinite. Specifically, the Office Action alleges that claims 53 and 60 state in part "to facilitate the customer computer device providing a security device via the connection, to the financial institution computing device to process payment from the customer account to the merchant account." The Office Action further alleges that it is unclear how the interface means facilitates providing a security device. Applicants have amended the claims at the cited clauses to clarify the recited subject matter. Therefore, this rejection should be withdrawn.

Claims 2, 3, 6-12, 15-18, 20-28, 31-33, 34, 35, 45, 46, 48, 50 and 52-64 stand rejected under 35 U.S.C. § 102(a) as allegedly being anticipated by Langer et al. Further, claims 13, 14, 29, 30, 37 and 41 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Langer et al. Applicants disagree with these rejections. Further, Applicants have amended claims 53, 60, 63 and 64 to further clarify the subject matter. Applicants request reconsideration of this rejection in view of the amendments to the claims and arguments presented herein.

Specifically, claims 53, 60, 63 and 64 have been amended to clarify that the customer account from which funds are transferred to pay for the transaction is a customer controlled account of a financial institution associated with the customer. In one exemplary form, this may

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be the customer's usual bank account at their normal financial institution. That is, it is an existing bank account, that the customer may use for other transactions, not necessarily limited to transactions in accordance with this system. It may be the user's general, everyday checking, savings or other account.

Support for this amendment in the present application, see the published PCT specification at:

- Page 3, lines 29 to 32;
- page 4, lines 24 to 35;
- page 4, line 36 to page 5, line 5; and
- page 8, line 30 to page 9, line 1.

The process implemented is for the payment gateway to provide an interface (in an embodiment this is a software agent) which automatically connects the customer computing device to their own financial institution application (for example, an internet banking site) where they can access their own customer controlled account.

The customer is therefore redirected to what may be their usual, standard bank account. They can then pay for the transaction using their standard account facilities (note this will usually require a password ie "security means" for them to access those facilities). This has the advantages that:

- no security information is provided to the merchant
- no security information is provided to the transaction gateway
- the security information is only provided to the customer's usual financial institution.

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- Payment can be processed in real time (such as recited in claims 2 and 3).
- A confirmation of payment can be generated directly to the merchant computing device via a secure connection between the financial institution computing device and the merchant computing device (such as recited in claims 5 and 6).
- The agent application can obtain data on transaction details from the merchant network site. For example, it can obtain a payment amount, a merchant account identifier and other details. It can automatically provide these details to the financial institution application (eg it can fill in the appropriate fields in the financial institution internet banking site). This reduces the chances of any mistakes being made if the details had to be filled in manually. It further automates and increases the efficiency of the payment process. See claims 7 and 8 and new claims 54 and 55.
- The financial institution application may be an already existing financial institution application such as an internet banking website. This reduces the infrastructure that is required by a system of the present invention – it can use already existing infrastructure and applications (such as recited in claim 10 and claim 46).
- The interface means can automatically obtain the security means from the customer computing device (eg automatically obtain a password from a digital store in the customer computing device) and automatically provide it the financial institution application, further increasing automation of the process and reducing the chance for error. See claims 12, 13 and 14.

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- The system also provides a database which stores a record of transactions which can be accessed by the merchant and/or customer. The interface means is arranged to automatically store the transaction details – see claims 15, 16 and 17 and 56.
- New claim 57 has also been added to the feature that the transaction facilitating computing system is arranged to download the interface means on initiation of the payment process. See page 7, lines 22 to 27 for support, and throughout the description.

The Langer et al. system does not operate to connect a customer computer to a financial institution application of a financial institution associated with the customer and having a customer controlled account.

Langer provides a payment gateway which a customer accesses when they are involved in a merchant transaction. A customer is never connected to their own financial institution application, where they control an account. Instead, the payment gateway operates as a separate third party provider, and deals with payment via a "back end" transaction. It controls customer details to carry out the back end transaction. The customer does not control the account.

In particular, note that there are four parties involved in the transaction in Langer (see column 1 lines 48 and 49), being the customer, dealer, payment gateway and bank network.

The payment gateway holds customer data such as credit card information, debit information, etc. The payment gateway then forwards this account information and may debit transactions to a bank network (column 1, lines 63, 64 and 65). That is, the customer computer is never connected to their financial institution application. The transaction is dealt

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with separately by the payment gateway. The customer is not in control.

In one embodiment, the transaction gateway controls a mini payment account which is carried as a sub account of an actual bank account. It is the payment gateway that controls deductions from the mini payment account. Credit card and debit card entries are relayed later on to the bank network or to a system with a connection to the bank network for execution (column 2, lines 54 to 57).

There are therefore some major differences between Langer and the present invention as now claimed.

- The transaction gateway in Langer does not operate to connect the customer computer directly to a financial application of a financial institution associated with the user and having a customer controlled account. Transaction gateway in Langer deals with the entire process itself.
- There is no customer controlled account in the Langer system. Langer requires that a third party provider (provider of the payment gateway) controls account details of the customer eg mini payment account, credit card details, etc. As such it is insecure, because the customer must provide secure details (eg credit card details) to a third party in control of the payment gateway.

It is respectfully submitted that Langer et al. fails to disclose or suggest one or more features recited in the claims. Therefore, these rejections should be withdrawn and the claims allowed.

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CONCLUSION

Should any formalities remain which may be addressed by Examiner amendments, the examiner is requested to contact by phone the undersigned attorney to expedite the prosecution of the present application.

If any fees are due in connection with this application, the Patent Office is authorized to deduct the fees from Deposit Account No. 19-1351 as required. If such withdrawal is made, please indicate the attorney docket number (37388-405600) on the account statement.

Respectfully submitted,

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